GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Disciplinary Proceedings against Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala (M), West Godavari District (Retd) - AoCs issued – WSD submitted – Inquiry ofcer appointed - Inquiry Report submitted – to impose a penalty of "withholding of 10% (ten percent) of monthly pension for a period of one (1) year" – Orders – Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 263 Dated: 17-05-2021.

Read the following:-

1. From the Chief Commissioner of Land Administration, A.P., Vijayawada, Lr.No.VS.II(2)/711/2019, Dt:20.09.2020.
2. Govt.Memo.No.LANA0CCLV(DISC)/71/2020-Vig.III(2)-1, Dt:12.11.2020.
3. Explanation dt:24.11.2020 of Sri V.Leela Prasad, former Tahsildar, D.Tirumala, W.G.District (Retd).
4. Govt.Memo.No.LANA0CCLV(DISC)/71/2020-Vig.III(2)-1, Dt:07.01.2021.
5. Explanation of Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala, W.G.District (Retd).
6. Govt.Letter.No.REV01-LANA0CCLV(DISC)/71/2020-Vig.III(2)-3, Dt:09.02.2021.
7. From the Secretary, APPSC, Lr.No.109/DC&C/2021, Dated:22.03.2021

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ORDER:

Whereas, in the reference 1st read above, it was brought to the notice of the Government by the Chief Commissioner of Land Administration, A.P., Vijayawada that the following Article of charge has been framed against Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala (M), West Godavari District (Retd), by the District Collector, West Godavari District vide his proceedings dt:29.11.2012.

Charge:

That he being a responsible public servant while working as Tahsildar, D.Tirumala Mandal, has issued a false Certifcate in Rc.No.111/2008, dt.04.09.2008, in favour of Smt. Achanta Savithri, W/o.lakshminarayana, Venkata Krishnapuram Village, D.Tirumala Mandal certifying that she owns Ac.9.60 cts., of land covered by R.S.No.283 in Gundugolanukunta Village, D.Tirumala Mandal that there is no objection for providing electrical connection to the bore well located in the said land. Whereas, the last R.S.No.in Gundugolanukunta Village, D.Tirumala Mandal is 117 and there is no R.S.No.283 in the Village. The ryoth having Ac.9.60 cts. of land covered by R.S.No.283 in Venkata Krishnapuram Village, D.Tirumala Mandal and there was a ban on the digging of new bore wells from 07.06.2006 to 11.01.2012 in venkata Krishnapuram Village, D.Tirumala Mandal. The false certificate issued by the officer, as if the land owned by the ryoth is located in Gundugolanukunta Village, D.Tirumala Mandal, paved the way to the ryoth to dig a new bore well in the ban area and also to get electrical supply connection to the bore well in an irregular manner.

The Officer having known fully, regarding the ban imposed by the Government on digging of bore wells in Venkata Krishnapuram Village, D.Tirumala Mandal and also the non-existence of Survey No.283 in Gundugolanukunta Village, D.Tirumala Mandal has resorted to issue false certificate deliberately.

The issuance of false certificate lead to the filing of complaints by the public defeated the objectives of the Government in imposing ban on the digging of bore wells and caused much inconvenience to the district administration.

Thus, Sri V.Leela Prasad, formerly Tahsildar, D.Tirumala Mandal presently retired from service by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule 3 of A.P.C.S.(Conduct) Rules, 1964.

2. The Charged Officer has submitted his written statement of defense on 21.12.2012 denying the above charge. Further, the DM, APSCSC Ltd., Eluru was appointed as Inquiry Officer by the District Collector who further expressed his inability to conduct enquiry. Hence, the Joint Collector-II, Eluru was appointed again to conduct enquiry in to the matter by the District Collector, vide his procdgs dt:06.09.2019. Accordingly, the Inquiry authority/the Joint Collector-II has submitted enquiry report stating that Tahsildar have issued the certificate inadvertently without any malafide intention. However ignorance of law cannot be excusable and the charged officer is responsible for all his actions & inactions. Hence, the charge is held proved. As the Charged Officer is retired from service on attaining the age of superannuation on 28.02.2017 the CCLA while submitting the article of charges, explanation of the charged officer, report of the enquiry Officer and findings of their office, has requested the Government to conclude the departmental proceedings against Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala under rule.9 of A.P.R.P.Rules, 1980.

3. Government, after careful examination of the findings of the enquiry report, have accepted the same. Accordingly, a copy of the report of the Enquiry officer was communicated to the Charged Officer Sri V.Leela Prasad, former Tahsildar, W.G.District (Retd) under Rule 21(2) of Andhra Pradesh Civil Services (CC&A) Rules 1991 r/w Rule 9 of the APRP Rules, 1980 with a direction to submit his representation, if any, vide the reference 2nd read above.

4. Accordingly, in the reference 3rd read above, the Charged Officer Sri V.Leela Prasad, former Tahsildar, W.G.District (Retd), has submitted his explanation stating that the certificate which is in question has been issued by him is by mistake and without any malafide intention and also in the pressure of day to day office work. As there is no loss to anyone in this regard and at a lapse of long time i.e., from 04.09.2008 to till date and also on a settled matter i.e., the said bore well was regularized on 04.05.2012 action at this juncture may be dropped on humanitarian grounds as he has served in Revenue Department for a span of 31 years without any remark and now retired from service on 28.02.2017 and suffered a lot without pensionery benefits. Therefore, he has requested the Government to exonerate him from the charge considering the situation on humanitarian grounds as there is no loss to any one or to the Government.

5. Government, after careful examination of the explanation of the Charged Officer have provisionally decided to impose a penalty of “withholding of 10% of his monthly pension for a period of four years” against the Charged Officer Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala, W.G.District (Retd), for the charge held proved, under Rule 9 of A.P.Revised Pension Rules,1980. Accordingly, he was directed to show cause as to why the proposed penalty of “withholding of 10% of his monthly pension for a period of four years” should not be imposed upon him for the irregularity committed, vide the reference 4th read above.

6. And whereas, in the reference 5th read above, Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala, W.G.District (Retd) has submitted his explanation stating that he has already submitted his explanation in detail. Once again he prayed the Government to re-examine the situation as that the said wrong certificate does not cause any loss to Government or to any one and also later the said certificate was regularized and to the matter was settled in the year 2012 without any further complication. The proposed punishment i.e. “withholding of 10% of his monthly pension for a period of four years” may be reduced or may be exonerate as the District Collector reported that the Government may take lenient view with imposing minor punishment. And stoppage of pensionary benefits till date is punishment so far

faced by him. In view of the above circumstances, he has prayed the Government to exonerate him on humanitarian grounds as he was retired in February 2017.

7. After taking into consideration of the explanation offered by the Charged Officer and by taking a lenient view, Government have decided to impose a penalty of "withholding of 10% of monthly pension for a period of one (1) year" against the Charged Ofcer Sri V.Leela Prasad, Tahsildar (Retd). Accordingly, the Secretary, APPSC was requested to place the above proposals of the Govt, before the commission and obtain the concurrence and furnish the same to Government for taking further action in the matter, vide the reference 6th read above.

8. And whereas, in the reference 7th read above, the Secretary, APPSC has informed that after careful examination of the disciplinary case in the light of the records made available, Commission agreed with the proposals of the Government to impose a penalty of "withholding of 10% of monthly pension for a period of one (1) year" against Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala (M), W.G.District and advised accordingly.

9. Government, after careful examination of the matter have decided to confirm the provisional decision taken and accordingly hereby impose a penalty of "withholding of 10% of monthly pension for a period of one (1) year" against Sri V.Leela Prasad, former Tahsildar, Dwaraka Tirumala (M), W.G.District (Retd) in terms of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

10. The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada / the Collector, W.G. District shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri V.Leela Prasad, former Tahsildar, Dwarka Tirumala (M), W.G.District (Retd)
through Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada.
The Chief Commissioner of Land Administration, Andhra Pradesh, Vijayawada.
The Collector & District Magistrate, W.G District, Eluru.
Copy to:-
The Principal Accountant General (A&E), A.P., Hyderabad.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
Sf/Sc

//FORWARDED :: BY ORDER //

SECTION OFFICER